

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

**LUIS A. LASTRA CALDERÓN and
YANIRA ROSARIO HUERTAS**

Plaintiffs

v.

**PRIMEFLIGHT AVIATION SERVICES
INC.; FRONTIER AIRLINES, INC.;
RODRIGO CALAPAQUI; PAOLA
TORES; ASEGURADORAS ABC and
XYZ**

Defendants

CIVIL NO. 22-cv-01559

RE: Unjustified dismissal, age discrimination,
retaliation damages

**MOTION FOR LEAVE TO FILE REPLY TO PLAINTIFFS' OPPOSITION OF
MOTION TO DISMISS AND TENDERING SAME**

TO THE HONORABLE COURT:

COMES NOW Frontier Airlines, Inc. ("Frontier" or the "Company") and Paola Torres ("Torres") (collectively, the "Defendants"), by and through the undersigned counsel, without waiving any defenses, and respectfully state, allege and pray as follows:

1. On November 23, 2022, codefendant Torres filed a Motion to Dismiss, see Dkt. No. 3. After requesting and being granted an extension of time, Plaintiffs filed their opposition on December 26, 2022 ("Opposition"). See Dkt. No. 16.

2. Defendants wish to address several arguments, both legal and factual, raised by Plaintiffs in their Opposition, and explain why the Complaint should nonetheless be dismissed in its entirety as to Torres. For example, Plaintiffs assertion that they filed a well-pled Complaint ignores the applicable plausibility standard set forth by the Supreme Court, and their insistence on

individual liability under all circumstances for discrimination claims misrepresents recent doctrinal developments.

3. Accordingly, as required by Local Rule 7(c), defendants request leave to file a Reply and tender same as Attachment.

WHEREFORE, Defendants respectfully requests that this Honorable Court grant them leave to file a Reply for the reasons discussed above.

Respectfully submitted.

In San Juan, Puerto Rico, this 30th day of December 2022.

WE HEREBY CERTIFY that on, we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to all parties through the CM/ECF system. Parties may access this filing through the Court's system.

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